

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

WILLIAM JOHNSON, JILL JOHNSON, and
SECOND AMENDMENT FOUNDATION,
INC.,

Plaintiffs,

v.

NICK LYON, in his official capacity as
Director of the Michigan Department of Health
and Human Services,

Defendant.

No. 17-CV-00124-PLM-MV

HON. PAUL L. MALONEY

MAG. MAARTEN VERMAAT

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JOINT STATUS REPORT

As directed by the Court, the parties submit this Joint Status Report.

The parties conducted the following discussions, which if enacted would resolve Plaintiffs' Second Amendment Claims against State Defendant.

1. The drafting and implementation of a revised Foster Family Homes and Foster Family Group Homes Rule 400.9415 (Rule 415).
2. Implementation of various training measures.
3. A settlement agreement which would include a resolution of Plaintiffs' claim for attorney's fees or an agreement to place said issue before the Court.

Plaintiffs and State Defendant approved revisions that amended Rule 415. Subsequently, and in accord with the Michigan Administrative Procedures Act, MCL 24.201, *et seq.*, this amended rule is in the statutory process of promulgation. On October 12 and 13, 2021, MDHHS held public hearings for public views and comments on the amended Foster Family Homes and Foster Family Group Homes – including amended Rule 415 - in accord with MCL 24.241, and no public comment raised proposed changes to this amended rule. Accordingly, MDHHS has continued the statutory promulgation process by submitting amended Rule 415 to the Michigan Legislative Services Bureau (LSB) for formal certification by mid-February 2022. From there, MDHHS anticipates the Department of Secretary to issue the Great Seal completing the promulgation process.

The parties suggest a follow-up status report on or before March 11, 2022.

Date: January 28, 2022

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Date: January 28, 2022

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